

Message Text

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TO AMEMBASSY LONDON PRIORITY

C O N F I D E N T I A L STATE 062359

E.O. 11652: GDS

TAGS: CASC, UK

SUBJECT: PROPOSED EXPULSION FROM UK OF PHILIP AGEE AND
MARK HOSENBALL

REF: STATE 58713

1. RAMSEY CLARK AND MELVIN WULF MET WITH LEGAL ADVISER
DESIGNATE AND OTHER DEPARTMENTAL OFFICERS MARCH 17 TO DIS-
CUSS THE POSSIBILITY OF THE DEPARTMENT'S INTERVENING WITH
THE UK HOME SECRETARY TO PREVENT THE DEPORTATION OF PHILIP
AGEE. CLARK'S PREMISE WAS THAT AGEE CASE IS BASICALLY A
FREE SPEECH CASE. HIS ESSENTIAL LEGAL COMPLAINT IS THAT
AGEE WAS DENIED DUE PROCESS IN THE UK BECAUSE HE WAS NOT
GIVEN THE EVIDENCE AGAINST HIM. HE URGED THAT WE APPROACH
THE UK GOVERNMENT ON AGEE'S BEHALF AND INDICATE OUR CONCERN
AT THE DENIAL OF DUE PROCESS ACCORDED HIM.

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2. IN COURSE OF DISCUSSION CLARK INDICATED THAT PROCEED-
INGS AGAINST AGEE AND HOSENBALL WERE THE FIRST TO TAKE
PLACE IN UK SINCE ADOPTION OF NEW LAW GOVERNING PROCEDURES
IN EXPULSION CASES. CLARK FELT UK DISCRIMINATING AGAINST
AMERICANS IN SINGLING THEM OUT AS SUBJECTS OF INITIAL PRO-
CEEDINGS. DEPARTMENT WOULD APPRECIATE EMBASSY'S REPORTING

WHEN LAW WAS CHANGED, HOW PRESENT LAW DIFFERS FROM FORMER LAW OR PRACTICE, AND WHETHER IT IS ACCURATE THAT CASES AGAINST AGEE AND HOSENBALL ARE FIRST CASES UNDER CURRENT LAW.

3. CLARK ALSO INDICATED THAT HOSENBALL HAD APPLIED TO THE HIGH COURT TO CANCEL HIS DEPORTATION. MARCH 18 NEW YORK TIMES REPORTS HOSENBALL'S APPLICATION DISMISSED. DEPARTMENT WOULD APPRECIATE EMBASSY'S REPORTING ON ANY FURTHER JUDICIAL PROCEEDINGS IN HOSENBALL CASE AND ON ANY JUDICIAL PROCEEDINGS ON AGEE CASE.

4. ANOTHER ELEMENT OF CASE TO WHICH CLARK AND WULF ADVERTED WAS POSSIBILITY THEIR CLIENT MIGHT BE PROSECUTED (FOR ESPIONAGE) ON RETURN TO U.S. THEY INFORMED US THAT THEY HAD APPOINTMENT AT JUSTICE DEPARTMENT TO DISCUSS CASE AFTERNOON OF MARCH 17. WULF INFORMED DEPARTMENT TODAY AND JUSTICE CONFIRMED THAT THE INVESTIGATION OF AGEE IS CLOSED AND THAT JUSTICE HAS NO INTENTION AT THIS TIME OF PROSECUTING HIM FOR CHARGES ARISING OUT OF PUBLICATION OF ORIGINAL BOOK.

5. AT CONCLUSION OF DISCUSSION IN DEPARTMENT, CLARK AND WULF INFORMED THAT DEPARTMENT WOULD TAKE THEIR REQUEST FOR ACTION ON BEHALF OF AGEE UNDER CONSIDERATION.
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